



D&M 8/03
PTO/SB/30 (09-03)
3765

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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/733,009
Filing Date	December 8, 2000
First Named Inventor	Frank Ficker
Art Unit	3765
Examiner Name	Amy B. Vanatta
Attorney Docket Number	S&S-99/1074a

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/ Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Communication

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-1403

a. ☒ RCE fee required under 37 CFR 1.17(e) 03/12/2004 MGE BREM1 00000083 09733009

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 OP

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 770.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Stephen E. Bondura	Registration No. (Attorney/Agent)	35,070
Signature		Date	03/09/2004

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Name (Print/Type)	Sandra S. Perkins
Signature	
Date	03/09/2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



ATTORNEY DOCKET NO: S&S-99/1074a

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frank Ficker)	Examiner: Vanatta, Amy B.
)	
Serial No: 09/733,009)	Group Art Unit: 3765
)	
Confirmation No: 3026)	Our Account No: 04-1403
)	
Filed: December 8, 2000)	Our Customer ID: 22827
)	
For: Process And Apparatus For)	
Drafting Textile Fibers (As Amended)))	

COMMUNICATION

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Madam:

With this Request for Continued Examination, please enter the Amendment previously filed on February 5, 2004. Concerning the Advisory Action dated February 19, 2004, the Examiner is requested to note the following:

Concerning the issue raised in the Advisory Action, it should be noted that changing the word "stretching" and its derivatives to "drafting" and its derivatives does not present new matter. It is clear to one of ordinary skill in the textile art from reading the specification that the term "stretching" means the same thing as "drafting"—that is the process of attenuating or increasing the length per unit weight of naps, slivers, slubbings, rovings, or other fiber structures that are made of staple fibers. As stated before, the originally filed application was in German, which used the word "Verstrecken." *Verstrecken* to German speaking people in the textile art translates to "drawing." The word "stretching" and its derivatives were the choice of the translator. He could have just as easily chosen "drawing" or "drafting" instead and not changed the meaning or description within the specification. Therefore, Applicants respectfully

submit no new matter is injected into the application by way of the use of the word
"drafting" and its derivatives.

Respectfully submitted,
DORITY & MANNING, P.A.

3/9/04
Date

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